



BILLING CODE 6717-01-P
DEPARTMENT OF ENERGY
Federal Energy Regulatory Commission
[Project No. 3342-023]

Briar Hydro Associates, LLC; Notice of Intent to File License Application, Filing of Pre-Application Document, and Approving Use of the Traditional Licensing Process

- a Type of Filing: Notice of Intent to File License Application and Request to Use the Traditional Licensing Process.
- b Project No.: 3342-023
- c Date Filed: November 29, 2019
- d Submitted By: Briar Hydro Associates, LLC (Briar Hydro)
- e Name of Project: Penacook Lower Falls Hydroelectric Project
- f Location: On the Contoocook River, in Merrimack County, New Hampshire. No federal lands are occupied by the project works or located within the project boundary.
- g Filed Pursuant to: 18 CFR 5.3 and 5.5 of the Commission's regulations
- h Potential Applicant Contact: Andrew J. Locke, Essex Hydro Associates, LLC, 55 Union Street, Boston, MA 02108; (617) 357-0032; e-mail – alocke@essexhydro.com.
- i FERC Contact: Jeanne Edwards at (202) 502-6181; or e-mail at jeanne.edwards@ferc.gov.
- j Briar Hydro filed its request to use the Traditional Licensing Process on November 29, 2019. Briar Hydro provided public notice of its request on December 12, 2019. In a letter dated February 6, 2020, the Director of the Division of Hydropower Licensing approved Briar Hydro's request to use the Traditional Licensing Process.

- k. With this notice, we are initiating informal consultation with the U.S. Fish and Wildlife Service and/or NOAA Fisheries under section 7 of the Endangered Species Act and the joint agency regulations thereunder at 50 C.F.R., Part 402. We are also initiating consultation with the New Hampshire State Historic Preservation Officer, as required by section 106 of the National Historic Preservation Act, and the implementing regulations of the Advisory Council on Historic Preservation at 36 CFR 800.2.
- l. With this notice, we are designating Briar Hydro as the Commission's non-federal representative for carrying out informal consultation pursuant to section 7 of the Endangered Species Act and consultation pursuant to section 106 of the National Historic Preservation Act.
- m. On November 28, 2019, Briar Hydro filed a Pre-Application Document (PAD; including a proposed process plan and schedule) with the Commission, pursuant to 18 CFR 5.6 of the Commission's regulations.
- n. A copy of the PAD is available for review at the Commission in the Public Reference Room or may be viewed on the Commission's website (<http://www.ferc.gov>), using the "eLibrary" link. Enter the docket number, excluding the last three digits in the docket number field to access the document. For assistance, contact FERC Online Support at FERCONlineSupport@ferc.gov, (866) 208-3676 (toll free), or (202) 502-8659 (TTY). A copy is also available for inspection and reproduction at the address in paragraph h.
- o. The licensee states its unequivocal intent to submit an application for a new license for Project No. 3342. Pursuant to 18 CFR 16.8, 16.9, and 16.10 each application for a new license and any competing license applications must be filed with the Commission at least 24 months prior to the expiration of the existing license. All applications for license for this project must be filed by October 31, 2020.
- p. Register online at <http://www.ferc.gov/docs-filing/esubscription.asp> to be notified via e-mail of new filings and issuances related to this or other pending projects. For assistance, contact FERC Online Support.

Dated: February 6, 2020.

Nathaniel J. Davis, Sr.,
Deputy Secretary.

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